

1 KEKER & VAN NEST, LLP
2 CHRISTA M. ANDERSON - #184325
3 DAVID J. SILBERT - #173128
4 ALYSE BERTENTHAL - #253012
5 710 Sansome Street
6 San Francisco, CA 94111
7 Telephone: (415) 391-5400
8 Facsimile: (415) 397-7188

9 Attorneys for Defendant
10 GOOGLE INC.

11 BRIAN S. KABATECK SBN 152054
12 RICHARD L. KELLNER SBN 171416
13 ALFREDO TORRIJOS SBN 222458
14 KABATECK BROWN KELLNER LLP
15 644 South Figueroa Street
16 Los Angeles, California 90017
17 Telephone: (213) 217-5000
18 Facsimile: (213) 217-5010

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19 Attorneys for Plaintiff
20 DAVID ALMEIDA

21 UNITED STATES DISTRICT COURT
22 NORTHERN DISTRICT OF CALIFORNIA
23 SAN JOSE DIVISION

24 DAVID ALMEIDA, individually and on
25 behalf of all others similarly situated,

26 Plaintiff,

27 v.

28 GOOGLE INC., a Delaware corporation; and
DOES 1 through 10, inclusive,

Defendants.

Case No. C 08-02088 RMW

**STIPULATION AND []
ORDER MODIFYING CASE SCHEDULE**

1 WHEREAS, at the case management conference on August 15, 2008, the parties jointly
2 submitted a proposed schedule which the Court subsequently adopted;

3 WHEREAS, since that time, the parties have been diligently pursuing discovery;

4 WHEREAS, discovery in this matter is taking longer than the parties originally
5 anticipated;

6 WHEREAS, Google has to date produced approximately 180,000 pages of documents,
7 but believes that additional information still remains to be identified, collected, and produced in
8 response to Plaintiff's document requests;

9 WHEREAS, no previous extensions to the case schedule have been requested;

10 NOW THEREFORE, pursuant to the agreement of the parties:

11 IT IS HEREBY STIPULATED THAT, the Scheduling and Case Management Order
12 should be amended to adjust the dates by approximately 120 days, with new dates set as follows:

- 13 • Plaintiff shall file and serve (1) any expert report(s) on class certification; and
14 (2) his motion for class certification no later than August 3, 2009.
- 15 • Defendant shall file and serve (1) any expert report(s) on class certification; and
16 (2) its opposition to class certification no later than September 4, 2009.
- 17 • Plaintiff shall file and serve his reply in support of the motion for class
18 certification no later than September 21, 2009.
- 19 • The parties shall conduct a mediation on or before October 9, 2009.
- 20 • The hearing on Plaintiff's motion for class certification before the Court shall take
21 place on October 23, 2009, or at another date set by the Court.
- 22 • Non-expert discovery shall be completed no later than March 2, 2010.
- 23 • Expert opening reports shall be submitted by March 9, 2010.
- 24 • Expert opposition reports shall be submitted by March 23, 2010.
- 25 • Expert reply reports shall be submitted by April 6, 2010.
- 26 • Expert discovery shall be completed no later than April 13, 2010.

1 SO STIPULATED.

2
3 Dated: _____

KABATECK BROWN KELLNER LLP

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6 By: /s/ Alfredo Torrijos
7 ALFREDO TORRIJOS
8 Attorneys for Plaintiff and the
9 Proposed Class
10 DAVID ALMEIDA

11
12 Dated: _____

KEKER & VAN NEST, LLP

13 By: /s/ David J. Silbert
14 DAVID J. SILBERT
15 Attorneys for Defendant
16 GOOGLE INC.

17 **[] ORDER**

18 IT IS SO ORDERED.

19 Dated: 4/2 _____, 2009

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22 HON. RONALD M. WHYTE
23 UNITED STATES DISTRICT COURT
24 NORTHERN DISTRICT OF
25 CALIFORNIA
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